

Minutes of a regular meeting of the Vermilion Parish Police Jury held on October 6, 2008, with President Gerald Butaud presiding.

The meeting was called to order by Mr. Butaud, who asked Mr. Cloris J. Boudreaux to lead the group in the Pledge of Allegiance. Following the pledge, the President asked for a moment of silent prayer or reflection. The President then reminded all present to turn all cell phones, pagers, etc. off or set to silent mode for the duration of the Police Jury meeting.

The following members were present:

Mr. Chris Beraud	Mr. Ronald Menard
Mr. Ronald Darby	Mr. T. J. Prejean, Jr.
Mr. Wayne Touchet	Mr. Leon Broussard
Mr. Cloris J. Boudreaux	Mr. Gerald Butaud
Mr. Errol J. Domingues	Mr. Dane Hebert
Mr. Pervis Gaspard	Mr. Nathan Granger
Mr. Keith Meaux	Mr. Mark Poche'

Absent: None

Mr. Wayne Touchet asked if it would be possible for the agenda to be taken out of order to allow Mr. Bart Bellaire with the Vermilion Parish District Attorney's Office to address the Jury first as he had another engagement at 6:30 p.m.

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury authorized additions/changes to the agenda to allow Mr. Bart Bellaire with the Vermilion Parish District Attorney's Office to address the Jury first.

Mr. Bellaire stated that he had attended tonight's meeting to discuss with the Jury regarding an issue of potential litigation. Mr. Bellaire stated that he had spoken to Mr. Paul Moresi, III, Legal Counsel, regarding this issue, and deferred to him to decide if the matter should be discussed in executive session.

Mr. Moresi stated that, as the issue that Mr. Bellaire wants to discuss deals with potential litigation as well as an active criminal prosecution, he felt it would be best for this issue to be discussed in executive session.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury went into executive session at 6:06 p.m. to discuss prospective litigation and allegations of misconduct.

Upon motion of Mr. Ronald Darby, duly seconded by Mr. Keith Meaux, and unanimously carried, the Police Jury returned to regular session at 6:25 p.m.

President Butaud recognized Ms. Kathy Broussard, Vermilion Parish Tax Assessor-Elect, to present her business to the Jury.

Ms. Broussard thanked the Jury for allowing her time to speak with them. Ms. Broussard stated that there was an increase in real property and movable property assessments for

Vermilion Parish, with the largest increase in real property in Ward 3 and the largest increase in moveable property in Ward 7. Ms. Broussard stated that these numbers would reflect a \$3,000,000 tax dollar increase for Vermilion Parish and concluded by saying there were no protests for the year.

Upon motion by Mr. Ronald Darby, duly seconded by Mr. Ronald Menard, and unanimously carried, the Police Jury accepted the following assessment valuations for the 2008 Tax Year as submitted by Vermilion Parish Tax Assessor-Elect Kathy Broussard:

	<u>2008 Values</u>	<u>2007 Values</u>
1. Real Property	\$172,924,660	\$148,879,720
2. Personal Property	<u>\$155,417,120</u>	<u>\$138,214,180</u>
TOTAL	\$328,341,780	\$287,093,900

President Butaud requested a motion to close the receipt of bids for the “Drainage Improvements in the Erath/Bayou Tigre Area Bridge Replacements”.

Upon motion by Mr. Errol J. Domingues, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury closed the receipt of bids for the “Drainage Improvements in the Erath/Bayou Tigre Area Bridge Replacements”.

Upon motion by Mr. Cloris J. Boudreaux, duly seconded by Mr. Leon Broussard, and unanimously carried, the Police Jury authorized the opening of the bids for the “Drainage Improvements in the Erath/Bayou Tigre Area Bridge Replacements”.

Contractor	Base Bid (Kibbe St. & Isadore Rd.)	Additive Alternate Bid No. 1 (Jude Rd.)	Base + Additive Alternate Bid No. 1
Guinn Brothers, LLC	\$872,475.26	\$448,139.15	\$1,320,614.41
Coastal Bridge Co., LLC	\$980,000.00	\$500,000.00	\$1,480,000.00
W. E. McDonald & Sons, LLC	-----	-----	-----
Port Aggregates	-----	-----	-----
F. Miller Construction	\$1,227,700.00	\$519,700.00	\$1,747,400.00
Cajun Maritime	-----	-----	-----
Cecil D. Gassiott, LLC	\$671,635.00	\$303,374.00	\$975,009.00

Upon motion by Mr. Errol J. Domingues, duly seconded by Mr. Keith Meaux, and unanimously carried, the Police Jury approved taking the bids for the “Drainage Improvements in the Erath/Bayou Tigre Area Bridge Replacements” under advisement.

President Butaud recognized Ms. Nora Crowley with the Save Lake Peigneur Group to present her business to the Jury.

Ms. Crowley thanked the Jury for their time, and stated that Mr. Steven Langlinais would be addressing them in her place.

Mr. Langlinais stated that it was the intention of the Save Lake Peigneur Group to thank the Jury for all their help and assistance. Mr. Langlinais stated that Act 241 of the 2008 Regular Legislative Session sets limits on the amount of water taken out of the Chicot Aquifer, which will greatly help the people in the area.

Ms. Crowley also presented the Jury with a signed and numbered “Save Lake Peigneur” lithograph, as a token of their appreciation.

President Butaud recognized Mr. Sherrill Sagrera to present his business to the Jury.

Mr. Sagrera directed the Juror's attention to the official Hurricane Protection/Restoration Plan. Mr. Sagrera stated that this plan used a "line of defense" strategy to reduce storm surge and also incorporates coastal restoration/wetland protection projects to afford the residents of Vermilion Parish storm protection and, at the same time, enhance our wetlands and natural resources. Mr. Sagrera informed the Jury that the Plan is a living document that addresses current concerns and that can be added to as future concerns arise. Mr. Sagrera also stated that the Coastal Protection/Restoration Advisory Committee has adopted this plan in the hopes that it will be incorporated into the Final Plan being submitted to Congress.

President Butaud read the following announcements:

1. The Louisiana Recovery Authority has cancelled the technical support meeting to explain the disposition plans, environmental reviews and property transfers for acquired Road Home Properties that was to be held on Tuesday, October 7, 2008.
2. The Vermilion Parish Cattleman's Association, Inc., will host their Annual Bar-Be-Que on Saturday, October 18, 2008, beginning at 4:30 p.m. at the V-Arena (Kaplan Recreation Center) on East Mills Street.

Upon motion of Mr. Leon Broussard, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury approved dispensing the reading of the minutes of the regular meeting of September 22, 2008, and were accepted as presented.

President Butaud recognized Mr. Eugene Sellers, Sr., with Sellers & Associates, Inc., to address the Jury.

Mr. Sellers stated that only one bid had been received for the "Three (3) 2009 Model 5 Cubic Yard Dump Trucks – Non-CDL".

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Keith Meaux, and unanimously carried, the Police Jury awarded the only bid received to Frenzel Motors, Inc., in the amount of \$60,499.18 per truck, for a total cost of \$181,497.54, relative to the "Three (3) 2009 Model 5 Cubic Yard Dump Trucks – Non-CDL".

Mr. Sellers also stated that all bids for the "Cooperative Extension Service Exhibition Building" would either need to be awarded or rejected.

Mr. Wayne Touchet stated that, due to the Hurricanes, he felt all bids should be rejected at this time and that the Jury revisit the issue at a later date.

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Cloris J. Boudreaux, and unanimously carried, the Police Jury rejected all bids for the "Addition to the Cooperative Extension Service Exhibition Building" and will revisit the issue at a later date.

President Butaud recognized Ms. Liz Girouard, with Sellers & Associates, Inc., to present her business to the Jury.

Ms. Girouard stated that she had met with the Department of Environmental Quality and the Environmental Protection Agency last week to discuss the proposed mission assignment to assess, recover and dispose of abandoned and orphaned chemical containers in lower Vermilion

Parish. DEQ and EPA reported that in order to initiate the mission assignment, they would need a commitment from the Jury. The process would start with a joint committee with GOHSEP, FEMA, DEQ, EPA and the Jury to discuss the mission and the funding shares involved. Ms. Girouard stated that in her meeting today, DEQ and EPA representatives stated that they do not get involved in how the cost shares work, but the Jury could be liable for 25% of the cost share of the work that it will take DEQ and EPA to process the abandoned and orphaned containers. The cost is approximated to cost \$25,000 per day (\$9,500 for disposal costs, \$15,500 for waste management costs), and they are estimating 45 to 60 days to complete the project, if they are not able to place owners with the containers. Total projected cost for the project is between \$1,125,000.00 and \$1,500,000.00, with the Jury's cost share approximately \$280,000.00 to \$375,000.00 if the Jury chooses to participate. Ms. Girouard informed the Jury that there is a chance that this project may be funded at 100% by the Federal Government, but at this time, the cost share is 75/25. Ms. Girouard stated that if the Jury does not accept the mission assignment, she was certain that the Jury would still be responsible for hiring a contractor to remove the abandoned and orphaned chemical containers.

Ms. Girouard stated that along with the abandoned and orphaned chemical containers, their mission assignment would also include the disposal of household hazardous waste and electronic waste. It is proposed that the working/staging area for DEQ and EPA be housed at the Area II Barn on Calvin LeBeouf Road. The recommendation of DEQ and the EPA is to have the Jury's contractor pick-up the household hazardous waste and e-waste along with segregating those wastes when they are picking up the C & D waste, and bringing it to the staging area for processing. Ms. Girouard stated that certain parishes are having trouble with contractors picking up all the different types of waste at one time, as the waste ends up becoming more comingled with other wastes, which makes it harder to sort the waste when it is brought to the staging area. Ms. Girouard informed the Jury that DEQ and the EPA have recommended having segregation of waste at curbside, thereby eliminating any comingling of waste. It was suggested by DEQ and the EPA that the contractor should pick up the (expanded definition) C & D waste for delivery to the landfill, put the e-waste and household hazardous waste in a flat bed truck which has bins that are separated by category (DEQ will train the contractor as to what has to be separated in each bin), then deliver to the staging area, which will be least labor-intensive for DEQ to process and thereby costing the Jury less. All waste would then be tested by DEQ to determine where it needs to be disposed and ultimately disposed of in the correct location.

Ms. Girouard presented one drilling permit and three Letters of No Objection to be approved by the Jury.

Upon motion by Mr. Pervis Gaspard, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved the issuance of the following:

- A. Project Permit No. 1569-D to Kaiser-Francis Oil Company, to drill and maintain the Broussard No. 1 Well, in Election District No. 11, contingent upon the emergency plan being approved by the Vermilion Parish Office of Homeland Security/Emergency Preparedness.
- B. Letter of No Objection to Forza Energy, LLC to transfer ownership of an existing well to Forza Energy, in Election District No. 13.
- C. Letter of No Objection to Walter Oil & Gas Corporation to furnish and install a 4-inch flowline to serve the SL No. 16784 #1 Well, in Election District No. 13.

D. Letter of No Objection to Dune Operating Company to furnish and install 693 feet of SWD line from the E. M. Watkins No. 035 Well to an existing facility, in Election District No. 13.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury approved payment of Partial Payment No. 1 to Glenn Lege Construction, Inc., in the amount of \$39,665.31, relative to the "Damages to Guillot Road". Cost to be paid from Royalty Road.

Mr. Ronald Darby stated that he had a question regarding Item No. 6 of the Public Road Committee Recommendations: "It is recommended that the Police Jury authorize the Public Road Supervisor to monitor the use of Parish vehicles for travel for breaks and lunch." Mr. Darby questioned how this would be monitored. Mr. Errol J. Domingues stated that this policy was put in place so that the employees would not be leaving a job site and driving 10 or more miles to eat.

Mr. Mark Poche` stated that three years ago, the Jury passed a motion which required all road crew employees to bring their lunch. The problem, Mr. Poche` stated, is that some individuals are going home for lunch, and staying there longer than their allotted 30 minutes.

Mr. Mark Poche` stated that he wished to amend Item No. 6 of the Public Road Committee Recommendations to read: "It is recommended that the Police Jury require that all road crew employees bring their lunch to work and no employee of the road crew be allowed to go home for lunch."

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Pervis Gaspard, and unanimously carried, a motion was made to have a roll call vote on the amending of Item No. 6 of the Public Road Committee Recommendations.

A roll call vote was taken with votes as follows:

<u>Nay</u>	<u>Yeas</u>
Mr. Ronald Darby	Mr. Dane Hebert
Mr. Wayne Touchet	Mr. Chris Beraud
Mr. Gerald Butaud	Mr. Nathan Granger
Mr. Ronald Menard	Mr. Mark Poche`
Mr. Cloris J. Boudreaux	Mr. Keith Meaux
Mr. Leon Broussard	Mr. Errol J. Domingues
	Mr. Pervis Gaspard
	Mr. T. J. Prejean, Jr.

The vote was (8) eight for and (6) six against, the motion passed.

Upon motion by Mr. Leon Broussard, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury amended Item No. 10 of the Public Road Committee Recommendations to read: "It is recommended that the Police Jury authorize Sellers & Associates, Inc. to perform a study relative to the elevating of Lakeside Road, in Election District No. 14.

Upon motion by Mr. Errol J. Domingues, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury approved the Public Road Committee Recommendations, as

amended, and the appropriate officials of the Jury were authorized to carry out the recommendations.

PUBLIC ROAD COMMITTEE
OCTOBER 1, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A PUBLIC ROAD COMMITTEE MEETING HELD ON OCTOBER 1, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury approve payment of the invoice from Environmental Recovery Services for work complete through September 28, 2008, once corrected, relative to "Hurricane Gustav – 2008 Debris Removal".
2. It is recommended that the Police Jury authorize Sellers & Associates, Inc. to advertise for bids for Construction and Demolition debris pick-up throughout Vermilion Parish, relative to Hurricane Gustav and Hurricane Ike.
3. It is recommended that the Police Jury authorize the Parish Road Supervisor to instruct his crews to discontinue vegetative debris pick-up.
4. It is recommended that the Police Jury approve a change order to extend the contract with Environmental Recovery Services for one week, ending Thursday, October 9, 2008, relative to "Hurricane Gustav – 2008 Debris Removal".
5. It is recommended that the Police Jury deny the request of Representative Jonathan Perry to adopt an ordinance dealing with noxious/overgrown grass and blighted properties in rural areas located between and immediately contiguous with residential homes on land that is not agricultural in nature.
6. It is recommended that the Police Jury authorize the Parish Road Supervisor to monitor the use of Parish owned vehicles for travel for breaks or lunch.
7. It is recommended that the Police Jury approve payment of Invoice No. P63604 to Scott Construction Equipment Co., LLC, in the amount of \$12,535.70, relative to the purchase of a grapple assembly for the Gradall at the Area III Barn.
8. It is recommended that the Police Jury approve payment of Invoice No. 3901 to Bihm Construction, Inc., in the amount of \$2,897.50, relative to the "2006-2007 Capital Improvements Program – Street Improvements". Cost to be paid from Election District No. 09, Sub 1 of 2.
9. It is recommended that the Police Jury give final approval to the subdivision development identified as Deere Park Subdivision, in Election District No. 01.
10. It is recommended that the Police Jury authorize Sellers & Associates, Inc. to perform a study relative to the elevating of Sellers Road, in Election District No. 14.

Respectfully submitted,
Errol J. Domingues,
Chairman

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Nathan Granger, and unanimously carried, the Police Jury amended the Public Works Committee Recommendations to add: "It is recommended that the Police Jury authorize the Administrator/Secretary-Treasurer to send a letter to the Rabies and Animal Control Supervisor advising her to continue to take proper care of the animals involved in the LaPorte case until the District Attorney's Office can make a recommendation on how to proceed."

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Nathan Granger, and unanimously carried, the Police Jury approved the Public Works Committee Recommendations, as amended, and the appropriate officials of the Jury were authorized to carry out the recommendations.

PUBLIC WORKS COMMITTEE
OCTOBER 1, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A PUBLIC WORKS COMMITTEE MEETING HELD ON OCTOBER 1, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury authorize Sellers & Associates, Inc. to request an appraisal of the property next to the Solid Waste landfill owned by Mr. Bob Lowe, relative to the purchase of dirt for the Solid Waste Sub-Title D Cell.
2. It is recommended that the Police Jury approve payment of Partial Payment No. 1 to Glenn Lege Construction, Inc., in the amount of \$24,354.00, relative to the "Patching Roadway at the Vermilion Parish Landfill".
3. It is recommended that the Police Jury authorize Sellers & Associates, Inc. to request quotes to expand the Leleux Fire Station.
4. It is recommended that the Police Jury approve a temporary variance for a (temporary) mobile office for Tigertanks Offshore Rental, Ltd., 2179 Louisiana Highway 333, Abbeville, in Election District No. 09, for a period of 180 days (expiring March 30, 2009)
5. It is recommended that the Police Jury approve a temporary variance for a (temporary) mobile office for Ambar Lonestar, 9729 Ethlyn Road, Abbeville, in Election District No. 09, for a period of 180 days (expiring March 30, 2009).
6. It is recommended that the Police Jury reappoint Mr. Randall H. Broussard to the Pecan Island Waterworks District No. 3 for a term of 5 years.
7. It is recommended that the Police Jury reimburse the District 13 Fire Department for the following invoices, relative to the purchase of items lost in Hurricane Rita, as approved at the Police Jury meeting of August 18, 2008, with cost to be paid from '76 Sales Tax:

A. Wal-Mart
Trans. No. 791653582929100369337
Date: 09/05/08
Amount = \$310.58

B. Lowe's Home Centers, Inc.
Trans. No. S0484GM4911430
Date: 08/20/08
Amount = \$1,066.75

C. Piazza Office Supply, Inc.
Invoice No. 102074
Date: 09/04/08
Amount = \$1,197.77

8. It is recommended that the Police Jury approve payment of Application for Payment No. 4 to Minvielle Lumber Co., Inc., in the amount of \$68,168.84, relative to the "New Fire Stations – Henry".
9. It is recommended that the Police Jury approve payment of Invoice No. 3182 to The Sellers Group, in the amount of \$1,679.47, relative to professional services provided for the "New Fire Stations – Henry".
10. It is recommended that the Police Jury approve payment of Application for Payment No. 3 to Minvielle Lumber Co., Inc., in the amount of \$117,836.65, relative to the "New Fire Stations – Seventh Ward".
11. It is recommended that the Police Jury approve payment of Invoice No. 3181 to The Sellers Group, in the amount of \$2,903.78, relative to professional services provided for the "New Fire Stations – Seventh Ward".
12. It is recommended that the Police Jury authorize the Public Works Director to request quotes to repair the Area III Barn.
13. It is recommended that the Police Jury authorize Legal Counsel to draft an amendment to Ordinance 2006-O-29.
14. It is recommended that the Police Jury authorize the President to sign the lease agreement between the Vermilion Parish Police Jury and the Vermilion Parish School Board, relative to the new Henry Fire Station.

Respectfully submitted,
Wayne Touchet,
Chairman

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Chris Beraud, and unanimously carried, the Police Jury approved the Finance Committee Recommendations, as presented, and the appropriate officials of the Jury were authorized to carry out the recommendations.

FINANCE COMMITTEE
OCTOBER 1, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A FINANCE COMMITTEE MEETING HELD ON OCTOBER 1, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY'S CONSIDERATION:

1. It is recommended that the Police Jury approve payment of Invoice No. MPM929145 to Deep South of Louisiana, in the amount of \$2,903.27, relative to an accident caused by a Parishwide employee.

2. It is recommended that the Police Jury approve payment of Invoice No. MPM929625 to Deep South of Louisiana, in the amount of \$500.00, relative to an accident caused by a Parishwide employee.
3. It is recommended that the Police Jury approve payment of Invoice No. 1719 to Minvielle & Associates, Inc., in the amount of \$300.00, relative to professional services provided for preparing an application under the Local Government Assistance Program.
4. It is recommended that the Police Jury approve payment of the following invoices to Sellers & Associates, Inc., relative to professional services provided:

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| <p>A. Invoice No. 0011264
06-07 CIP – Phase I
Design Phase
Date: 09/14/08
Amount = \$3,985.36</p> | <p>B. Invoice No. 0011265
06-07 CIP – Phase I
Construction Phase
Date: 09/14/08
Amount = \$20,608.58</p> |
| <p>C. Invoice No. 0011266
06-07 CIP – Phase II
Design Phase
Date: 09/14/08
Amount = (65.86)
CREDIT INVOICE</p> | <p>D. Invoice No. 0011267
06-07 CIP – Phase II
Construction Phase
Date: 09/14/08
Amount = \$31,320.51</p> |

5. It is recommended that the Police Jury approve payment of Invoice No. 060492 to Abbeville Tree Service, Inc., in the amount of \$3,250.00, relative to removing a tree located at 746 Parkview, which fell on the home during Hurricane Gustav.
6. It is recommended that the Police Jury approve payment of Invoice No. 3179 to The Sellers Group, in the amount of \$3,376.51, relative to professional services provided for the “Multi-purpose Community Health Center”.
7. It is recommended that the Police Jury approve payment of Application for Payment No. 8 to Minvielle Lumber Co., Inc., in the amount of \$190,423.70, relative to the “Multi-purpose Community Health Center”.
8. It is recommended that the Police Jury authorize Sellers & Associates, Inc. to prepare the necessary documents, relative to the following Act 19 Appropriations:
 - A. \$ 75,000 Replacement of Henry Fire Station
 - B. \$100,000 Materials and Service needs money to be distributed equally between the volunteer fire departments (Maurice, LeBlanc, Indian Bayou and LeLeux)
 - C. \$300,000 For the following:
 1. 28% for Coulee Baton Drainage (\$84k)
 2. 15% for Coulee Des Jons Drainage (\$45k)
 3. 12% for the VP Council on Aging (\$36k)
 4. 05% for the Cajun Area Council on Aging (\$15k)
 5. 40% for Road Improvements to Bares, Ranch and Roosevelt Roads (\$120k)

9. It is recommended that the Police Jury approve payment of Application for Payment No. 11 to L. K. Breaux & Associates, Inc., in the amount of \$45,836.83, relative to the “New Fire Stations – Pecan Island and Forked Island”.
10. It is recommended that the Police Jury approve payment of Invoice No. 3180 to The Sellers Group, in the amount of \$2,304.63, relative to professional services provided for the “New Fire Stations – Pecan Island and Forked Island”.
11. It is recommended that the Police Jury authorize the President to sign the Standard Uniform Rental Service Agreement with Cintas to provide uniforms for Parishwide employees.

Respectfully submitted,
Nathan Granger,
Chairman

Upon motion by Mr. Mark Poche`, duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury amended Item No. 2 of the Courthouse/Building Committee Recommendations to read: “It is recommended that the Police Jury approve having the Office of Homeland Security/Emergency Preparedness staffed from 8:00 a.m. to 4:30 p.m. Monday through Friday, and all overtime be approved by the Administrator/Secretary-Treasurer for all offices including the 911 office, but excluding the Solid Waste department.”

Upon motion by Mr. Wayne Touchet, duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury amended Item No. 5 of the Courthouse/Building Committee Recommendations to read: “It is recommended that the Police Jury approve closing the Police Jury Offices at noon on Friday, October 10, 2008 and reopen at 8:00 a.m. on Tuesday, October 14, 2008, relative to the Vermilion Parish Cattle Festival and Columbus Day. It is further recommended that the Solid Waste Plant will remain open on Friday, October 10, 2008 and Monday, October 13, 2008, and the Solid Waste employees will receive time and a half pay for time worked on those two days.”

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Wayne Touchet, and unanimously carried, the Police Jury amended Item No. 7 of the Courthouse/Building Committee Recommendations to read: “It is recommended that the Police Jury approve renewing the lease with the ASSIST Agency for 435 square feet of office space at the Vermilion Parish Government Office Complex for one year stipulating that upon the completion of the space study being conducted by The Sellers Group, the ASSIST Agency may be required to move to other available space within 90 days if space is available, for the sum of \$400.00 per month.”

Upon motion by Mr. Keith Meaux, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury approved the Courthouse/Building Committee Recommendations, as amended, and the appropriate officials of the Jury were authorized to carry out the recommendations.

COURTHOUSE/BUILDING COMMITTEE
OCTOBER 1, 2008
ABBEVILLE, LOUISIANA

AS A RESULT OF A COURTHOUSE/BUILDING COMMITTEE MEETING HELD ON OCTOBER 1, 2008, THE FOLLOWING ITEMS ARE RESPECTFULLY SUBMITTED FOR THE JURY’S CONSIDERATION:

1. It is recommended that the Police Jury take the issue of paying electrical costs for a temporary annex of the Clerk of Court’s office under advisement.

2. It is recommended that the Police Jury approve having the Office of Homeland Security/Emergency Preparedness staffed from 8:00 a.m. to 4:30 p.m. Monday through Friday, and approved any necessary overtime.
3. It is recommended that the Police Jury approve Judge Durwood Conque moving into Judge Hebert's suite of offices once Judge Hebert retires.
4. It is recommended that the Police Jury approve payment of Invoice No. VPPJ112807 to Davidson Construction, in the amount of \$12,643.78, relative to removal and replacement of the Courthouse exterior second flight stairs.
5. It is recommended that the Police Jury approve closing the Police Jury Offices on Friday, October 10, 2008 instead of Monday, October 13, 2008.

It is further recommended that the Solid Waste Plant will remain open on Friday, October 10, 2008, and the Solid Waste employees will receive time and a half pay.

6. It is recommended that the Police Jury accept the only quote received from KTC Telephone Co., Inc., in the amount of \$378.00, relative to installing 3 Comdial DX 80 phones and all associated jacks and wiring in the Office of Homeland Security/Emergency Preparedness.
7. It is recommended that the Police Jury approve renewing the lease with the ASSIST Agency for 435 square feet of office space at the Vermilion Parish Government Office Complex beginning October 1, 2008 and ending December 31, 2008, for the sum of \$400.00 per month.
9. It is recommended that the Police Jury amend Section R109.1 of the Vermilion Parish Administrative Chapter for Building Codes to add, "R109.1.1A PRESUMPTIVE LOAD-BEARING VALUES. Presumptive load bearing values will be considered to be equivalent to 1,500 psf south of Louisiana Highway 14 (including the Louisiana Highway 14 Bypass) unless otherwise determined by soil investigation."

Respectfully submitted,
Keith Meaux,
Chairman

Upon motion by Mr. Leon Broussard, duly seconded by Mr. Nathan Granger, and unanimously carried, the Police Jury ratified the Section 5311 Monthly Activity Report for the month of July and August, 2008, as submitted by the Vermilion Council on Aging and direct the Administrator/Secretary-Treasurer to submit the report of the Department of Transportation and Development for reimbursement in accordance with the contract agreement.

Upon motion by Mr. Cloris J. Boudreaux, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury adopted a resolution granting the authority to the President to sign an Intergovernmental Cooperative Agreement with Waterworks District No. 1 of Vermilion Parish relative to the FY 2006 Louisiana Community Development Block Grant Program.

Upon motion by Mr. T. J. Prejean, Jr., duly seconded by Mr. Leon Broussard, and unanimously carried, the Police Jury adopted a resolution ordering and calling a special election to be held in Isle Marrone Gravity Drainage District No. 1 of the Parish of Vermilion, State of Louisiana, on Tuesday, November 4, 2008, to authorize the levy of a special tax therein.

President Butaud asked for a motion to amend the agenda to allow Mr. Ryan Richard to address the Jury.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Dane Hebert, and unanimously carried, the Police Jury authorized additions/changes to the agenda to allow Mr. Ryan Richard to address the Jury.

Mr. Richard thanked the Jury for allowing him time to speak and stated that he is a resident of Chateau Vermilion Subdivision. Mr. Richard informed the Jury that his reason for attending tonight's meeting is to seek a solution to a problem that the subdivision is having. Mr. Richard stated that he and his neighbors are having to file suit against an individual who has moved a mobile home into the subdivision, in direct violation of the restrictive covenants of the subdivision. Mr. Richard also stated that the individuals who moved the mobile home into the subdivision received a permit from the Administrative Office. Mr. Richard asked if it would be possible for the Building Permit Office to research the restrictions of the subdivision before issuing a permit.

Mr. Paul Moresi, III, Legal Counsel stated that it would not be possible for the Building Permit Office to enforce the restrictive covenants of the subdivision as it is a private agreement either between existing landowners or by a developer while he is developing a subdivision that is put in place for owners or prospective owners. Restrictive covenants are in place for the protection of the landowner, but there is no way that a public body can get involved in enforcing private agreements. Also, Mr. Moresi stated, restrictive covenants can be abandoned, and there is no way for the Building Permit Office to know if this is the case or not.

President Butaud recognized Mr. Chris Theriot, Administrator/Secretary-Treasurer to present his business to the Jury.

Upon motion by Mr. Mark Poche, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury approved paying those firefighters who assisted during Hurricanes Gustav and Ike a rate of \$15.00 per hour.

Upon motion by Mr. Leon Broussard, duly seconded by Mr. T. J. Prejean, Jr., and unanimously carried, the Police Jury approved payment of Partial Payment No. 6 to Glenn Lege Construction, Inc., in the amount of \$30,083.28, relative to the "Truck Bypass Route Improvements in the Gueydan Area".

Upon motion by Mr. Errol J. Domingues, duly seconded by Mr. Ronald Menard, and unanimously carried, the Police Jury approved the purchase of 17 chairs for the Police Jury meeting room from Piazza Office Supply, in the amount of \$6,783.00.

Upon motion by Mr. Keith Meaux, duly seconded by Mr. Dane Hebert, and unanimously carried, the Police Jury approved hiring Ms. Susan Landry as a Part-Time Custodian for the Vermilion Parish Courthouse at a Grade 9, Step 0.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury approved the purchase of a computer for the Administrative Office Manager from Dell Computers (State Contract), in the amount of \$1,336.00.

Upon motion by Mr. Cloris J. Boudreaux, duly seconded by Mr. Leon Broussard, and unanimously carried, the Police Jury ratified entering into an Intergovernmental Agreement with

the Louisiana Department of Transportation and Development whereby the DOTD will pay the Jury for Debris Disposal at the landfill as follows:

1. Wood Waste: \$4.00 per Cubic Yard
2. C & D Waste: \$6.00 per Cubic Yard

and the Jury will invoice the DOTD based on the load size indicated on the load tickets collected and documented at the landfill tower at the cubic yardage price indicated above for the type of debris delivered by DOTD and its assigned contractors.

Upon motion by Mr. T. J. Prejean, Jr., duly seconded by Mr. Leon Broussard, and unanimously carried, the Police Jury ratified entering into a rental agreement with Head & Engquist Equipment Services for a Komatsu HM300 Articulated Dump Truck, in the amount of \$10,350.00 per month (with a one time freight in/freight out charge of \$1,300.00), relative to the Solid Waste landfill.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Dane Hebert, and unanimously carried, the Police Jury approved payment of Invoice No. 4968 to Langlinais Tractor, Inc., in the amount of \$68,128.36, relative to the purchase of one (1) New Holland 2-WD Cab Tractor and one (1) Tiger 20' Boom Mower for the Area I Barn.

Upon motion by Mr. Dane Hebert, duly seconded by Mr. Cloris J. Boudreaux, and unanimously carried, the Police Jury approved payment of Invoice No. 6278 to Quality Equipment Co., in the amount of \$28,788.91, relative to the purchase of one (1) Diamond 20' Boom Mower for the Area IV Barn.

Upon motion by Mr. T. J. Prejean, Jr., duly seconded by Mr. Errol J. Domingues, and unanimously carried, the Police Jury approved payment of Invoice No. 12820 to Tim Morton & Associates, Inc., in the amount of \$5,643.74, relative to wetland delineation and levee reconstruction of the North Prong – Schooner Bayou.

Upon motion by Mr. T. J. Prejean, Jr., duly seconded by Mr. Leon Broussard, and unanimously carried, the Police Jury ratified the temporary relocation of Polling Precinct 16 from the Sacred Heart Chapel Church Hall, 28220 West Louisiana Highway 82, Kaplan, to the Pecan Island Fire Station, 28702 West Louisiana Highway 82, Kaplan.

President Butaud recognized Mr. Paul Moresi, III, Legal Counsel, to present his business to the Jury.

Mr. Moresi stated that he had completed the amendments to those Ordinances concerning “No Wake Zones” and would be providing the Administrative Office with those amendments.

Mr. Moresi informed the Jury that he had completed the amendment to the Ordinance concerning arborists. Mr. Moresi stated that in the amended ordinance, he has stipulated that (1) should a permitted arborist violate his permit, the Police Jury reserves the right to revoke and/or suspend said permit, and (2) in addition to the fines and jail terms stipulated in the original ordinance, any costs associated with hauling debris to the Solid Waste facility for disposal by the Police Jury due to negligence on the part of the permittee will be charged to the permittee.

Mr. Moresi stated that he had looked into the damage claim for the individual who fell while at the Law Enforcement Center. Mr. Moresi informed the Jury that the Sheriff is the “keeper” of the Law Enforcement Center and therefore responsible for incidents occurring there. Mr. Moresi

requested a motion to authorize him to send a letter to Sheriff Mike Couvillon stating the Jury's position on this matter.

Upon motion by Mr. Mark Poche`, duly seconded by Mr. Nathan Granger, and unanimously carried, the Police Jury authorized Legal Counsel to send a letter to Sheriff Mike Couvillon relative to the incident involving Ms. Claudean Duhon, who was injured while at the VP Law Enforcement Center during a Grand Jury Inspection.

Upon motion by Mr. Nathan Granger, duly seconded by Mr. Pervis Gaspard, and unanimously carried, the Police Jury approved appointing Mr. Danny Richard as a Commissioner to the Waterworks District No. 1 Board for a 5 year term, beginning October 21, 2008.

Upon motion by Mr. Cloris J. Boudreaux, duly seconded by Mr. Ronald Darby, and unanimously carried, the Police Jury adopted a resolution thanking and acknowledging Mr. T. J. Prejean, Jr. for his 22 years of service, dedication and expertise as a commissioner for the Waterworks District No. 1 and approved presenting Mr. Prejean with a framed copy of the resolution as a keepsake.

Upon motion by Mr. Leon Broussard, duly seconded by Mr. Keith Meaux, and unanimously carried, there being no further business to be presented, the meeting was duly adjourned.

Administrator/Secretary-Treasurer

President